

1 EDMUND G. BROWN JR.
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 MICHAEL BROWN
Deputy Attorney General
4 State Bar No. 231237
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2095
6 Facsimile: (213) 897-2804
Attorneys for Complainant
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8 **BEFORE THE**
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 890-A

11 **WILLIAM HOWARD CURRY**
12 **P.O. Box 1591**
13 **Big Bear Lake, CA 92315**
Civil Engineer License No. C 24166

A C C U S A T I O N

14 Respondent.

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16 Complainant alleges:

17 **PARTIES**

18 1. David E. Brown (Complainant) brings this Accusation solely in his official capacity
19 as the Executive Officer of the Board for Professional Engineers and Land Surveyors,
20 Department of Consumer Affairs.

21 2. On or about June 12, 1974, the Board for Professional Engineers and Land Surveyors
22 issued Civil Engineer License Number C 24166 to William Howard Curry (Respondent). The
23 Civil Engineer License was in full force and effect at all times relevant to the charges brought
24 herein and will expire on December 31, 2011, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board for Professional Engineers and Land
27 Surveyors (Board), Department of Consumer Affairs, under the authority of the following laws.
28 All section references are to the Business and Professions Code unless otherwise indicated.

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5. Section 6775 of the Code states, in pertinent part, that “[T]he board may reprove, suspend for a period not to exceed two years, or revoke the certificate of any professional engineer registered under this chapter:

“(c) Who has been found guilty by the board of negligence or incompetence in his or her practice.”

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PULASKI PROJECT

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8. The Respondent departed from the standard of care that would be exercised by a reasonably prudent professional engineer.

FIRST CAUSE FOR DISCIPLINE

(Negligence and/or Incompetence in the Practice of Professional Engineering)

9. Respondent is subject to disciplinary action under section 6775, subdivision (c) of the Code, in that on the Pulaski Project, Respondent committed negligence, and/or, incompetence in violation of the applicable standard of care, including, but not limited to:

a. Structural Calculations.

- 1) Respondent failed to define seismic loading criteria, use of approximated distributed loading to lateral elements without clear justification, lack of detailed design and detailing of the ordinary moment frames, and absence of calculations of collector elements;
- 2) Respondent failed to consider the base shear coefficient as 0.264 ($V=0.264W$), without showing how it is derived using Uniform Building Code section 1633.2.
- 3) Respondent failed to define the R value used in the determination of the base shear;
- 4) Respondent failed to take into consideration the loading combinations outlined in section 1612 in the Uniform Building Code;
- 5) Respondent failed to make conversion made to the strength level seismic loads calculated using Uniform Building Code static approach, used in the ASD method design of frames and their connections in the structure.

b. Boundary Survey

- 1) Respondent failed to include sufficient research of existing record maps or the proper calculation and substantiation of found record monuments or the proper substantiation of adjoining property lines;

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- 1 2) Respondent prepared a grading that showed a proposed contour lines that would
2 result in surface water runoff flowing into the structure instead of away from
3 the structure;
4 3) Respondent failed to achieve a structural engineering redesign of the residence
5 within six months.

6 **PRAYER**

7 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
8 and that following the hearing, the Board for Professional Engineers and Land Surveyors issue a
9 decision:

- 10 1. Revoking or suspending Civil Engineer License Number C 24166, issued to William
11 Howard Curry.
12 2. Ordering William Howard Curry to pay the Board for Professional Engineers and
13 Land Surveyors the reasonable costs of the investigation and enforcement of this case, pursuant to
14 Business and Professions Code section 125.3;
15 3. Taking such other and further action as deemed necessary and proper.

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18 DATED: 4/13/10

Original Signed

19 DAVID E. BROWN
20 Executive Officer
21 Board for Professional Engineers and Land Surveyors
22 Department of Consumer Affairs
23 State of California
24 Complainant

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